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FISCAL IMPACT REPORT

ORIGINAL DATE 2/05/07

SPONSOR Larrañaga LAST UPDATED 2/08/07 HB 343/aHCPAC

SHORT TITLE Deaf and Hard of Hearing Interpreters SB _____

ANALYST C. Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicate - SB 283

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)
 Administrative Office of the Courts (AOC)
 Commission for Deaf and Hard of Hearing

SUMMARY

Synopsis of HCPAC Amendment

The House Consumer and Public Affairs Committee amendment makes the following change:

On page 4 line 2, after “commission” the amendment inserts “and the administrative office of the courts”.

Without this change, the Commission could change the fee schedule for deaf interpreters without input from the AOC and without consideration for the budget impact on the AOC.

Synopsis of Original Bill

House Bill 343 amends 38-9-1 NMSA 1978 to remove responsibility for maintaining a list of interpreters and appointing an interpreter when required from the commission for deaf and hard of hearing persons.

Section 1 of the bill changes “This act” to a technical reference “Chapter 38. Article 9 NMSA 1978.

Section 2 of the bill changes gender reference to a generic “the person” and replaces vocational rehabilitation division with commission for deaf and hard of hearing persons. Section 2 (A) places authority to qualify interpreters with the commission for deaf and hard of hearing persons, which removes authority from vocational rehabilitation, the New Mexico registry of interpreters, the New Mexico association of the deaf and nomination of a person by a deaf person or their appointing authority.

Section 3 referring to proof of disability does not remove vocational rehabilitation division’s authority to provide a statement that the deaf or head of hearing person requires an interpreter, but it adds the public education department and the commission for the deaf and hard of hearing persons.

Section 4 again removes the vocational rehabilitation division’s responsibility and replaces with the commission for deaf and hard of hearing persons.

SIGNIFICANT ISSUES

For the past several years the New Mexico Supreme Court’s Interpreter Advisory Committee §38-10-4 (NMSA 1978) has proposed the fee schedule for all interpreters (deaf and spoken language) retained by the courts. The Executive Director of the Commission is a member of the Interpreter Advisory Committee. The Supreme Court administratively reviews the Committee’s recommendations before any changes go into effect. The Administrative Office of the Courts requests that the bill be amended so that the Commission and the AOC develop the fee schedule together. The Commission supports this amendment. The amendment would codify existing practices.

ADMINISTRATIVE IMPLICATIONS

Updating contact information to ensure staff and licensees have access to interpreting services when necessary.

OTHER SUBSTANTIVE ISSUES

Boards and commission staff would contact the Commission for deaf and hard of hearing persons rather than the vocational rehabilitation division.

Both the New Mexico Commission for Deaf and Hard of Hearing Persons and the Division of Vocational Rehabilitation are supportive of this legislation

DUPLICATE

SB 283

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Vocational Rehabilitation Division would remain responsible for maintaining a list and qualifying interpreters.